IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Keiji Kanota et al.

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Title : COPY CONTROL FOR A VIDEO SIGNAL WITH COPYRIGHT SIGNALS SUPERIMPOSED AS PREDETERMINED BITS IN THE VBID DATA OF THE VIDEO SIGNAL

Examiner : Lee, Y. Young

Art Unit : 2621

Confirmation No. : 5130

745 Fifth Avenue
New York, NY 10151
Tel. (212) 588-0800

DO NOT ENTER: /YL/

RESPONSE UNDER 35 U.S.C. §1.116

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Final Office Action dated January 19, 2010, having a three-month shortened statutory period for reply set to expire on April 19, 2010, please amend the above identified application as follows.

00748646.DOC

IN THE CLAIMS

Please cancel claims 1, 2, 19-26, 34, 35 and 46-53 and add new claims 86-170 as follows:

1-85. (Canceled)

86. (New) A method of processing a video signal to selectively permit copying thereof, said video signal having an effective picture portion containing useful picture information from which a viewable picture is displayed and a non-picture portion in which is disposed vertical blanking identifying (VBID) data comprised of a plural-bit mode number and associated plural-bit data or data flags wherein said plural-bit mode number selectively classifies said associated plural-bit data or data flags as data or flags such that predetermined bits of said associated plural-bit data or data flags represent different information as a function of the classification by said plural-bit mode number, said method comprising the steps of generating copyright information data indicative of whether the viewable picture is subject to copyright; generating copy generation data indicative of the number of successive generations of copies that can be made from the processed video signal; and setting said predetermined bits as the copyright information data and the copy generation data when said plural-bit mode number classifies said associated plural-bit data or data flags as flags, thereby to produce said processed video signal.

87. (New) The method of claim 86 wherein said video signal contains line intervals and said copyright information data and said copy generation data are superposed in VBID data in respectively different line intervals.

88. (New) The method of claim 87 wherein said video signal contains frame intervals, each formed of field intervals, and said different line intervals are in the same field interval.

89. (New) The method of claim 87 wherein said video signal contains frame intervals, each formed of field intervals, and said different line intervals are in different field intervals of the same frame interval.

90. (New) The method of claim 86 wherein said video signal contains line intervals and said copyright information data and said copy generation data are superposed in VBID data in the same line interval.

91. (New) The method of claim 86 wherein said copy generation signal is a plural bit signal.

92. (New) A video signal record medium having recorded thereon a video signal comprised of an effective picture portion containing useful picture information from which a viewable picture is displayed and a non-picture portion in which is disposed vertical blanking identifying (VBID) data comprised of a plural-bit mode number and associated plural-bit data or data flags, wherein said plural-bit mode number selectively classifies said associated plural-bit data or data flags as data or flags such that when said plural-bit mode number classifies said associated plural-bit data or data flags as flags, predetermined bits of the associated plural-bit data flags represent copyright information and copy generation information, and when said plural-bit mode number classifies said associated plural-bit data or data flags as data, said predetermined bits represent other information; copyright information data indicative of whether the viewable picture is subject to copyright; and copy generation information indicative of the number of successive generations of copies that can be made from the recorded video signal, said copyright

information and copy generation information being said predetermined bits in said non-picture portion.

93. (New) The record medium of claim 92 wherein said video signal contains line intervals and said copyright information and said copy generation information are superposed in VBID data in respectively different line intervals.

94. (New) The record medium of claim 93 wherein said video signal contains frame intervals, each formed of field intervals, and said different line intervals are in the same field interval.

95. (New) The record medium of claim 93 wherein said video signal contains frame intervals, each formed of field intervals, and said different line intervals are in different field intervals of the same frame interval.

96. (New) The record medium of claim 92 wherein said video signal contains line intervals and said copyright information and said copy generation information are superposed in VBID data in the same line interval.

97. (New) The record medium of claim 92 wherein said copy generation signal is a plural bit signal.

98. (New) A method of recording a video signal that may be selectively copied, said video signal having an effective picture portion containing useful picture information from which a

viewable picture is displayed and a non-picture portion in which is disposed vertical blanking

identifying (VBID) data comprised of a plural-bit mode number and associated plural-bit data or

data flags wherein said plural-bit mode number selectively classifies said associated plural-bit

data or data flags as data or flags such that predetermined bits of said associated plural-bit data or

data flags represent different information as a function of the classification by said plural-bit

mode number, said method comprising the steps of generating copyright information data

indicative of whether the viewable picture is subject to copyright; generating copy generation

data indicative of the number of successive generations of copies that can be made from the

video signal; setting said predetermined bits as the copyright information data and the copy

generation data when said plural-bit mode number classifies said associated plural-bit data or

data flags as flags, thereby to produce a processed video signal; and recording said processed

video signal on a record medium.

99. (New) The method of claim 98 wherein said video signal contains line intervals and said

copyright information data and said copy generation data are superposed in VBID data in

respectively different line intervals.

100. (New) The method of claim 99 wherein said video signal contains frame intervals, each

formed of field intervals, and said different line intervals are in the same field interval.

101. (New) The method of claim 99 wherein said video signal contains frame intervals, each

formed of field intervals, and said different line intervals are in different field intervals of the

same frame interval.

102. (New) The method of claim 98 wherein said video signal contains line intervals and said

copyright information data and said copy generation data are superposed in VBID data in the

same line interval.

103. (New) The method of claim 98 wherein said copy generation signal is a plural bit signal.

104. (New) A method of selectively recording a video signal having an effective picture portion

containing useful picture information from which a viewable picture is displayed and a non-

picture portion in which is disposed vertical blanking identifying (VBID) data comprised of a

plural-bit mode number and associated plural-bit data or data flags, wherein said plural-bit mode

number selectively classifies said associated plural-bit data or data flags as data or flags such that

when said plural-bit mode number classifies said associated plural-bit data or data flags as flags,

predetermined bits of the associated plural-bit data flags represent copyright information

indicative of whether the viewable picture is subject to copyright and copy generation

information indicative of the number of successive generations of copies that can be made from

the video signal, and when said plural-bit mode number classifies said associated plural-bit data

or data flags as data, said predetermined bits represent other information, said method

comprising the steps of detecting said copyright information and said copy generation

information; modifying the predetermined bits to indicate a decremented number of successive

generations of copies that can be made from the video signal if said copyright information

indicates that the viewable picture is subject to copyright; recording the video signal having said

copyright information and said modified copy generation information in said VBID data; and

selectively inhibiting the recording of the video signal when said copyright information indicates that said viewable picture is subject to copyright and the detected copy generation information indicates that no successive generations of copies may be made from the video signal.

105. (New) The method of claim 104 wherein said step of modifying the predetermined bits comprises generating new copy generation information indicative of one less than the number of successive generations of copies which are indicated by the detected copy generation information, and superposing said new copy generation information in said VBID data of the video signal.

106. (New) The method of claim 105 further comprising the steps of regenerating the detected copyright information, and superposing said regenerated copyright information in said VBID data of the video signal.

107. (New) The method of claim 104 wherein said video signal contains line intervals and said copyright information and said copy generation information are superposed in VBID data in respectively different line intervals.

108. (New) The method of claim 107 wherein said video signal contains frame intervals, each formed of field intervals, and said different line intervals are in the same field interval.

109. (New) The method of claim 107 wherein said video signal contains frame intervals, each formed of field intervals, and said different line intervals are in different field intervals of the same frame interval.

110. (New) The method of claim 104 wherein said video signal contains line intervals and said copyright information and said copy generation information are superposed in VBID data in the same line interval.

111. (New) The method of claim 104 wherein said copy generation signal is a plural bit signal.

112. (New) A method of reproducing a video signal having an effective picture portion and a non-picture portion and containing copy protection information representing whether a video picture derived from said video signal is subject to copyright and whether successive generations of copies can be made from said video signal, said method comprising the steps of playing back said video signal from a record medium; detecting said copy protection information in the played back video signal; generating copyright information data indicative of whether said video picture is subject to copyright; generating copy generation data indicative of the number of successive generations of copies that can be made from said played back video signal; setting both said copyright information data and said copy generation data as predetermined bits of plural-bit data flags which are associated with and classified by a plural-bit mode number, said plural-bit data flags and plural-bit mode number being included in vertical blanking identifying (VBID) data, and said predetermined bits being used to represent other information as a function of the classification of said plural-bit data flags by said plural-bit mode number; and disposing said VBID data in the non-picture portion of said played back video signal.

113. (New) The method of claim 112 wherein said video signal contains line intervals and said copyright information data and said copy generation data are superposed in VBID data in respectively different line intervals.

114. (New) The method of claim 113 wherein said video signal contains frame intervals, each formed of field intervals, and said different line intervals are in the same field interval.

115. (New) The method of claim 113 wherein said video signal contains frame intervals, each formed of field intervals, and said different line intervals are in different field intervals of the same frame interval.

116. (New) The method of claim 112 wherein said video signal contains line intervals and said copyright information data and said copy generation data are superposed in VBID data in the same line interval.

117. (New) The method of claim 112 wherein said copy generation signal is a plural bit signal.

118. (New) The method of claim 112 wherein said copy protection information comprises recorded copyright information data and recorded copy generation data, both included in VBID data in the non-picture portion of the video signal on said record medium, and both being detected to cause the detected copyright information data and copy generation data to be set as said predetermined bits in the VBID data of said played back video signal.

119. (New) Apparatus for processing a video signal to selectively permit copying thereof, said video signal having an effective picture portion containing useful picture information from which a viewable picture is displayed and a non-picture portion in which is disposed vertical blanking identifying (VBID) data comprised of a plural-bit mode number and associated plural-bit data or data flags wherein said plural-bit mode number selectively classifies said associated plural-bit data or data flags as data or flags such that predetermined bits of said associated plural-bit data or data flags represent different information as a function of the classification by said plural-bit mode number, said apparatus comprising means for generating copyright information data indicative of whether the viewable picture is subject to copyright; means for generating copy generation data indicative of the number of successive generations of copies that can be made from the processed video signal; and means for setting said predetermined bits as the copyright information data and the copy generation data when said plural-bit mode number classifies said associated plural-bit data or data flags as flags, thereby to produce said processed video signal.

120. (New) The apparatus of claim 119 wherein said video signal contains line intervals and said copyright information data and said copy generation data are superposed in VBID data in respectively different line intervals.

121. (New) The apparatus of claim 120 wherein said video signal contains frame intervals, each formed of field intervals, and said different line intervals are in the same field interval.

122. (New) The apparatus of claim 120 wherein said video signal contains frame intervals, each formed of field intervals, and said different line intervals are in different field intervals of the same frame interval.

123. (New) The apparatus of claim 119 wherein said video signal contains line intervals and said copyright information data and said copy generation data are superposed in VBID data in the same line interval.

124. (New) The apparatus of claim 119 wherein said copy generation signal is a plural bit signal.

125. (New) Apparatus for recording a video signal that may be selectively copied, said video signal having an effective picture portion containing useful picture information from which a viewable picture is displayed and a non-picture portion in which is disposed vertical blanking identifying (VBID) data comprised of a plural-bit mode number and associated plural-bit data or data flags wherein said plural-bit mode number selectively classifies said associated plural-bit data or data flags as data or flags such that predetermined bits of said associated plural-bit data or data flags represent different information as a function of the classification by said plural-bit mode number, said apparatus comprising means for generating copyright information data indicative of whether the viewable picture is subject to copyright; means for generating copy generation data indicative of the number of successive generations of copies that can be made from the video signal; means for setting said predetermined bits as the copyright information data and the copy generation data when said plural-bit mode number classifies said associated

plural-bit data or data flags as flags, thereby to produce a processed video signal; and means for

recording said processed video signal on a record medium.

126. (New) The apparatus of claim 125 wherein said video signal contains line intervals and said

copyright information data and said copy generation data are superposed in VBID data in

respectively different line intervals.

127. (New) The apparatus of claim 126 wherein said video signal contains frame intervals, each

formed of field intervals, and said different line intervals are in the same field interval.

128. (New) The apparatus of claim 126 wherein said video signal contains frame intervals, each

formed of field intervals, and said different line intervals are in different field intervals of the

same frame interval.

129. (New) The apparatus of claim 125 wherein said video signal contains line intervals and said

copyright information data and said copy generation data are superposed in VBID data in the

same line interval.

130. (New) The apparatus of claim 125 wherein said copy generation signal is a plural bit signal.

131. (New) Apparatus for selectively recording a video signal having an effective picture portion

containing useful picture information from which a viewable picture is displayed and a non-

picture portion in which is disposed vertical blanking identifying (VBID) data comprised of a

plural-bit mode number and associated plural-bit data or data flags, wherein said plural-bit mode number selectively classifies said associated plural-bit data or data flags as data or flags such that when said plural-bit mode number classifies said associated plural-bit data or data flags as flags, predetermined bits of the associated plural-bit data flags represent copyright information indicative of whether the viewable picture is subject to copyright and copy generation information indicative of the number of successive generations of copies that can be made from the video signal, and when said plural-bit mode number classifies said associated plural-bit data or data flags as data, said predetermined bits represent other information, said apparatus comprising means for detecting said copyright information and said copy generation information; means for modifying the predetermined bits to indicate a decremented number of successive generations of copies that can be made from the video signal if said copyright information indicates that the viewable picture is subject to copyright; means for recording the video signal having said copyright information and said modified copy generation information in said VBID data; and means for selectively inhibiting the recording of the video signal when said copyright information indicates that said viewable picture is subject to copyright and the detected copy generation information indicates that no successive generations of copies may be made from the video signal.

132. (New) The apparatus of claim 131 wherein said means for modifying the predetermined bits comprises means for generating new copy generation information indicative of one less than the number of successive generations of copies which are indicated by the detected copy generation information, and means for superposing said new copy generation information in said VBID data of the video signal.

133. (New) The apparatus of claim 132 wherein said means for recording includes means for regenerating the detected copyright information, and means for superposing said regenerated copyright information in said VBID data of the video signal prior to the recording of said video signal.

134. (New) The apparatus of claim 131 wherein said video signal contains line intervals and said copyright information and said copy generation information are superposed in VBID data in respectively different line intervals.

135. (New) The apparatus of claim 134 wherein said video signal contains frame intervals, each formed of field intervals, and said different line intervals are in the same field interval.

136. (New) The apparatus of claim 134 wherein said video signal contains frame intervals, each formed of field intervals, and said different line intervals are in different field intervals of the same frame interval.

137. (New) The apparatus of claim 131 wherein said video signal contains line intervals and said copyright information and said copy generation information are superposed in VBID data in the same line interval.

138. (New) The apparatus of claim 131 wherein said copy generation signal is a plural bit signal.

<u>139.</u> (New) <u>Apparatus for reproducing a video signal having an effective picture portion and a non-picture portion and containing copy protection information representing whether a video picture derived from said video signal is subject to copyright and whether successive generations of copies can be made from said video signal, said apparatus comprising means for playing back said video signal from a record medium; means for detecting said copy protection information in the played back video signal; means for generating copyright information data indicative of whether said video picture is subject to copyright; means for generating copy generation data indicative of the number of successive generations of copies that can be made from said played back video signal; means for setting both said copyright information data and said copy generation data as predetermined bits of plural-bit data flags which are associated with and classified by a plural-bit mode number, said plural-bit data flags and plural-bit mode number being included in vertical blanking identifying (VBID) data, and said predetermined bits being used to represent other information as a function of the classification of said plural-bit data flags by said plural-bit mode number; and disposing said VBID data in the non-picture portion of said played back video signal.</u>

<u>140.</u> (New) <u>The apparatus of claim 139 wherein said video signal contains line intervals and said copyright information data and said copy generation data are superposed in VBID data in respectively different line intervals.</u>

<u>141.</u> (New) <u>The apparatus of claim 140 wherein said video signal contains frame intervals, each formed of field intervals, and said different line intervals are in the same field interval.</u>

142. (New) The apparatus of claim 140 wherein said video signal contains frame intervals, each formed of field intervals, and said different line intervals are in different field intervals of the same frame interval.

143. (New) The apparatus of claim 139 wherein said video signal contains line intervals and said copyright information data and said copy generation data are superposed in VBID data in the same line interval.

144. (New) The apparatus of claim 139 wherein said copy generation signal is a plural bit signal.

145. (New) The apparatus of claim 139 wherein said copy protection information comprises recorded copyright information data and recorded copy generation data, both included in VBID data in the non-picture portion of the video signal on said record medium, and said means for detecting is operable to detect both said copyright information data and copy generation data in the played back video signal; and said means for setting is operable to set as said predetermined bits the detected copyright information data and copy generation data in the VBID data of said played back video signal.

146. (New) A method of processing a video signal to selectively permit copying thereof, said video signal having an effective picture portion containing useful picture information from which a viewable picture is displayed and a non-picture portion in which is disposed vertical blanking interval (VBID) data comprised of a plural-bit mode number and associated plural-bit data or data flags wherein said plural-bit mode number selectively classifies said associated plural-bit

data or data flags as data or flags such that predetermined bits of said associated plural-bit data or data flags represent different information as a function of the classification by said plural-bit mode number, said method comprising the steps of generating copyright information data indicative of whether the viewable picture is subject to copyright; generating copy generation data indicative of whether or not at least one successive generation of copies can be made from the processed video signal when the copyright information data indicates the viewable picture is subject to copyright; and setting said predetermined bits as the copyright information data and the copy generation data when said plural-bit mode number classifies said associated plural-bit data or data flags as flags, thereby to produce said processed video signal.

147. (New) The method of claim 146, wherein said video signal contains line intervals and said copyright information data and said copy generation data are superposed in VBID data in the same line interval.

148. (New) A video signal record medium having recorded thereon a video signal comprised of an effective picture portion containing useful picture information from which a viewable picture is displayed and a non-picture portion in which is disposed vertical blanking interval (VBID) data comprised of a plural-bit mode number and associated plural-bit data or data flags, wherein said plural-bit mode number selectively classifies said associated plural-bit data or data flags as data or flags such that when said plural-bit mode number classifies said associated plural-bit data or data flags as flags, predetermined bits of the associated plural-bit data flags represent copyright information and copy generation information, and when said plural-bit mode number classifies said associated plural-bit data or data flags as data, said predetermined bits represent

other information; copyright information data indicative of whether the viewable picture is subject to copyright; and copy generation information indicative of whether or not at least one successive generation of copies can be made from the recorded video signal when the copyright information data indicates the viewable picture is subject to copyright, said copyright information and copy generation information being said predetermined bits in said non-picture portion.

149. (New) The record medium of claim 148 wherein said video signal contains line intervals and said copyright information and said copy generation information are superposed in VBID data in the same line interval.

150. (New) A method of recording a video signal that may be selectively copied, said video signal having an effective picture portion containing useful picture information from which a viewable picture is displayed and a non-picture portion in which is disposed vertical blanking interval (VBID) data comprised of a plural-bit mode number and associated plural-bit data or data flags wherein said plural-bit mode number selectively classifies said associated plural-bit data or data flags as data or flags such that predetermined bits of said associated plural-bit data or data flags represent different information as a function of the classification by said plural-bit mode number, said method comprising the steps of generating copyright information data indicative of whether the viewable picture is subject to copyright; generating copy generation data indicative of whether or not at least one successive generation of copies can be made from the video signal when the copyright information data indicates the viewable picture is subject to copyright; setting said predetermined bits as the copyright information data and the copy

generation data when said plural-bit mode number classifies said associated plural-bit data or data flags as flags, thereby to produce a processed video signal; and recording said processed video signal on a record medium.

151. (New) The method of claim 150 wherein said video signal contains line intervals and said copyright information data and said copy generation data are superposed in VBID data in the same line interval.

152. (New) A method of selectively recording a video signal having an effective picture portion containing useful picture information from which a viewable picture is displayed and a non-picture portion in which is disposed vertical blanking interval (VBID) data comprised of a plural-bit mode number and associated plural-bit data or data flags, wherein said plural-bit mode number selectively classifies said associated plural-bit data or data flags as data or flags such that when said plural-bit mode number classifies said associated plural-bit data or data flags as flags, predetermined bits of the associated plural-bit data flags represent copyright information indicative of whether the viewable picture is subject to copyright and copy generation information indicative of whether or not at least one successive generation of copies can be made from the video signal when the copyright information data indicates the viewable picture is subject to copyright, and when said plural-bit mode number classifies said associated plural-bit data or data flags as data, said predetermined bits represent other information, said method comprising the steps of detecting said copyright information and said copy generation information; modifying the predetermined bits to indicate a decremented number of successive generations of copies that can be made from the video signal if said copyright information

indicates that the viewable picture is subject to copyright; recording the video signal having said

copyright information and said modified copy generation information in said VBID data; and

selectively inhibiting the recording of the video signal when said copyright information indicates

that said viewable picture is subject to copyright and the detected copy generation information

indicates that no successive generations of copies may be made from the video signal.

153. (New) The method of claim 152 wherein said step of modifying the predetermined bits

comprises generating new copy generation information indicative of one less than the number of

successive generations of copies which are indicated by the detected copy generation information,

and superposing said new copy generation information in said VBID data of the video signal.

154. (New) The method of claim 153 further comprising the steps of regenerating the detected

copyright information, and superposing said regenerated copyright information in said VBID

data of the video signal.

155. (New) The method of claim 152 wherein said video signal contains line intervals and said

copyright information and said copy generation information are superposed in VBID data in the

same line interval.

156. (New) A method of reproducing a video signal having an effective picture portion and a

non-picture portion and containing copy protection information representing whether a video

picture derived from said video signal is subject to copyright and whether at least one successive

generation of copies can be made from said video signal when the copy protection information

indicates the viewable picture is subject to copyright, said method comprising the steps of

playing back said video signal from a record medium; detecting said copy protection information

in the played back video signal; generating copyright information data indicative of whether said

video picture is subject to copyright; generating copy generation data indicative of whether or

not least one successive generation of copies can be made from said played back video signal

when the copyright information data indicates the viewable picture is subject to copyright;

setting both said copyright information data and said copy generation data as predetermined bits

of plural-bit data flags which are associated with and classified by a plural-bit mode number, said

plural-bit data flags and plural-bit mode number being included in vertical blanking interval

(VBID) data, and said predetermined bits being used to represent other information as a function

of the classification of said plural-bit data flags by said plural-bit mode number; and disposing

said VBID data in the non-picture portion of said played back video signal.

157. (New) The method of claim 156 wherein said video signal contains line intervals and said

copyright information data and said copy generation data are superposed in VBID data in the

same line interval.

158. (New) The method of claim 156 wherein said copy protection information comprises

recorded copyright information data and recorded copy generation data, both included in VBID

data in the non-picture portion of the video signal on said record medium, and both being

detected to cause the detected copyright information data and copy generation data to be set as

said predetermined bits in the VBID data of said played back video signal.

159. (New) Apparatus for processing a video signal to selectively permit copying thereof, said video signal having an effective picture portion containing useful picture information from which a viewable picture is displayed and a non-picture portion in which is disposed vertical blanking interval (VBID) data comprised of a plural-bit mode number and associated plural-bit data or data flags wherein said plural-bit mode number selectively classifies said associated plural-bit data or data flags as data or flags such that predetermined bits of said associated plural-bit data or data flags represent different information as a function of the classification by said plural-bit mode number, said apparatus comprising means for generating copyright information data indicative of whether the viewable picture is subject to copyright; means for generating copy generation data indicative of whether or not at least one successive generation of copies can be made from the processed video signal when the copyright information data indicates the viewable picture is subject to copyright; and means for setting said predetermined bits as the copyright information data and the copy generation data when said plural-bit mode number classifies said associated plural-bit data or data flags as flags, thereby to produce said processed video signal.

160. (New) The apparatus of claim 159 wherein said video signal contains line intervals and said copyright information data and said copy generation data are superposed in VBID data in the same line interval.

161. (New) Apparatus for recording a video signal that may be selectively copied, said video signal having an effective picture portion containing useful picture information from which a viewable picture is displayed and a non-picture portion in which is disposed vertical blanking

interval (VBID) data comprised of a plural-bit mode number and associated plural-bit data or

data flags wherein said plural-bit mode number selectively classifies said associated plural-bit

data or data flags as data or flags such that predetermined bits of said associated plural-bit data or

data flags represent different information as a function of the classification by said plural-bit

mode number, said apparatus comprising means for generating copyright information data

indicative of whether the viewable picture is subject to copyright; means for generating copy

generation data indicative of whether or not at least one successive generation of copies can be

made from the video signal when the copyright information data indicates the viewable picture is

subject to copyright; means for setting said predetermined bits as the copyright information data

and the copy generation data when said plural-bit mode number classifies said associated plural-

bit data or data flags as flags, thereby to produce a processed video signal; and means for

recording said processed video signal on a record medium.

162. (New) The apparatus of claim 161 wherein said video signal contains line intervals and

said copyright information data and said copy generation data are superposed in VBID data in

the same line interval.

163. (New) Apparatus for selectively recording a video signal having an effective picture

portion containing useful picture information from which a viewable picture is displayed and a

non-picture portion in which is disposed vertical blanking interval (VBID) data comprised of a

plural-bit mode number and associated plural-bit data or data flags wherein said plural-bit mode

number selectively classifies said associated plural-bit data or data flags as data or flags such that

when said plural-bit mode number classifies said associated plural-bit data or data flags as flags,

predetermined bits of the associated plural-bit data flags represent copyright information

indicative of whether the viewable picture is subject to copyright and copy generation

information indicative of whether or not at least one successive generation of copies can be made

from the video signal when the copyright information data indicates the viewable picture is

subject to copyright, and when said plural-bit mode number classifies said associated plural-bit

data or data flags as data, said predetermined bits represent other information, said apparatus

comprising means for detecting said copyright information and said copy generation

information; means for modifying the predetermined bits to indicate a decremented number of

successive generations of copies that can be made from the video signal if said copyright

information indicates that the viewable picture is subject to copyright; means for recording the

video signal having said copyright information and said modified copy generation information in

said VBID data; and means for selectively inhibiting the recording of the video signal when said

copyright information indicates that said viewable picture is subject to copyright and the detected

copy generation information indicates that no successive generations of copies may be made

from the video signal.

164. (New) The apparatus of claim 163 wherein said means for modifying the predetermined

bits comprises means for generating new copy generation information indicative of one less than

the number of successive generations of copies which are indicated by the detected copy

generation information, and means for superposing said new copy generation information in said

VBID data of the video signal.

165. (New) The apparatus of claim 164 wherein said means for recording includes means for regenerating the detected copyright information, and means for superposing said regenerated copyright information in said VBID data of the video signal prior to the recording of said video signal.

166. (New) The apparatus of claim 163 wherein said video signal contains line intervals and said copyright information and said copy generation information are superposed in VBID data in the same line interval.

167. (New) Apparatus for reproducing a video signal having an effective picture portion and a non-picture portion and containing copy protection information representing whether a video picture derived from said video signal is subject to copyright and whether at least one successive generation of copies can be made from said video signal, said apparatus comprising means for playing back said video signal from a record medium; means for detecting said copy protection information in the played back video signal; means for generating copyright information data indicative of whether said video picture is subject to copyright; means for generating copy generation data indicative of whether or not at least one successive generation of copies can be made from said played back video signal when the copyright information data indicates the viewable picture is subject to copyright; means for setting both said copyright information data and said copy generation data as predetermined bits of plural-bit data flags which are associated with and classified by a plural-bit mode number, said plural-bit data flags and plural-bit mode number being included in vertical blanking interval (VBID) data, and said predetermined bits being used to represent other information as a function of the classification of said plural-bit data

flags by said plural-bit mode number; and means for disposing said VBID data in the non-picture

portion of said played back video signal.

168. (New) The apparatus of claim 167 wherein said video signal contains line intervals and

said copyright information data and said copy generation data are superposed in VBID data in

the same line interval.

169. (New) The apparatus of claim 167 wherein said copy protection information comprises

recorded copyright information data and recorded copy generation data, both included in VBID

data in the non-picture portion of the video signal on said record medium, and said means for

detecting is operable to detect both said copyright information data and copy generation data in

the played back video signal; and said means for setting is operable to set as said predetermined

bits the detected copyright information data and copy generation data in the VBID data of said

played back video signal.

170. (New) A method of processing a video signal to selectively permit copying thereof, said

video signal having vertical blanking interval data (VBID) disposed in a predetermined line in a

non-effective picture portion that includes two bits to indicate whether the video signal permits

copying or not, said method comprising the steps of

          generating one of the two bits indicative of whether the viewable picture in an

effective picture portion is subject to copyright, and

generating the other of the two bits indicative of whether or not at least one

successive generation of copies can be made from the processed video signal when the one of the

two bits indicates the viewable picture is subject to copyright.

REMARKS

In light of the above amendatory matter and remarks to follow, reconsideration and allowance of this application are respectfully solocited.

Status of the Claims

All of the claims previously presented are canceled and new claims 86-170 are presented for further consideration. Claims 86-145 are identical to original patent claims 1-60. Claims 146-170 are identical to original reissue claims 61-85. Accordingly, notwithstanding the numbering of the claims presented herein, original patent claims 1-60 and reissue claims 61-85 are re-presented.

Objection to the Reissue Declaration

The reissue declaration filed October 16, 2001 was objected to as allegedly failing to identify at least one error for which this reissue application was filed to correct. Accompanying this paper is a proposed reissue declaration for the Examiner's consideration. Applicants will file a fully executed declaration should the accompanying declaration be acceptable.

Rejection of the Claims

Previously presented claims 1, 2, 19-26, 34-35 and 46-53 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Publication WO92/16944 (Platte) in view of U.S. Patent No. 4,044,380 (Justice). For the purpose of the present discussion, it is assumed the combination of Platte and Justice would be applied to the claims presented herein for the same reasons set out in the Office Action under reply. The Examiner described what he understood to be the teachings of Platte, as explained in the previous Office Action dated July 8, 2009.

Platte is a published international application published in German. Accompanying this amendment is a copy of the English translation of European published application 0 576 458,

corresponding to the German-language disclosure of WO92/16944. The following discussion is based upon this English translation.

Platte records subcodes on the same tape cassette on which video signals are recorded. The subcodes "ensure that copying restrictions, e.g. by way of copyright, are observed and to avoid unauthorized copying processes" (paragraph bridging pages 1 and 2 of the English translation). The subcodes include a source identifier SI to identify whether the cassette has been recorded by the owner, whether the cassette originates from a copying plant and whether the cassette has been recorded off the air (see the top three subparagraphs at page 2 of the English translation). According to Platte, these subcodes provide "a high degree of flexibility in logically distinguishing different cases on the basis of the source information for controlling the functioning of the equipment and for ensuring, if necessary, that copying is prevented."

However, Platte's subcodes differ significantly from the "plural-bit mode number and associated plural-bit data or data flags" recited by Applicants' claims.

Contrary to the assertion set out in the Office Action dated July 8, 2009,[1] Platte does not disclose "a plural-bit mode number and associated plural-bit data or data flags." Platte's subcode contains source identifier SI to identify the source of the input video signal, as mentioned above, but SI is not a "plural-bit mode number." Rather, from Platte's Figures 1-3, it appears that Platte's subcode is a 3-segment code in which the first segment is the source identifier, the second segment is a copy count that "is increased by '1' during each copying process," and the third segment is a single bit whose value represents "yes" or "no" for copy protection.

There is no "plural-bit mode number" to classify Platte's subcode or any segment in that subcode. Platte's disclosure is limited strictly to copy protection. Consequently, since Platte's

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[1] The stated rejection in the Office Action under reply is "for the same reasons as set forth in Section 6 of the last office action, dated 7/8/09."

subcode contains only copy protection data, there is no need for Platte to provide, for example, a preamble to selectively classify plural bits "such that predetermined bits of said associated plural-bit data or data flags represent different information as a function of the classification by said plural-bit mode number." At best, Platte describes plural bits limited <u>solely to copy protection information</u>.

Another difference between the "copy generation data" recited by Applicants' claims and the subcode described by Platte is that Applicants' copy generation data indicates "the number of successive generations of copies that <u>can be made</u> from the processed video signal," whereas Platte's copy counter CC indicates the number of copies that have <u>already been made</u>. Consequently, Platte's copy counter does not provide any indication of the number of permitted copies of the video signal that <u>remain</u>. An indication of the number of copies that have already been made, which is the function of Platte's copy counter, as opposed to the number of permitted copies that remain, which is recited in Applicants' claims, is, without more, minimally useful for copy control.

Justice was relied upon for describing the insertion of codes into the vertical blanking interval of a television signal. Notably, Justice fails to cure the aforenoted deficiencies of Platte. Accordingly, even when the disclosure of Justice is added to that of Platte, the resultant combination still is not suggestive of Applicants' claimed plural-bit mode number and associated plural-bit data or data flags.

Since claims 86-145 recite the aforenoted features, it is respectfully submitted all of the claims presented herein are patentably distinct over the combination of Platte and Justice. Furthermore, some of claims 146-170 recite, *inter alia*, the plural-bit mode number and associated plural-bit data or data flags that represent different information as a function of the

classification represented by the plural-bit mode number, as discussed above, and generating

copy generation data indicative of whether or not at least one successive generation of copies <u>can</u>

<u>be made</u>. These features are not found in the combination of Platte and Justice.
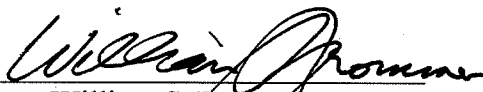
Therefore, it is respectfully submitted, claims 86-170 are patentably distinct over Platte in

combination with Justice.

In the event the Examiner disagrees with any of statements appearing above with respect

to the disclosure in the cited reference or references, it is respectfully requested that the

Examiner specifically indicate those portion or portions of the reference or references, providing

the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our

Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By _____
William S. Frommer
Reg. No. 25,526
(212) 588-0800